

MEETINGS TO DATE 17
NO. OF REGULARS 17
NO. OF SPECIALS 0

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LANCASTER, NEW YORK
SEPTEMBER 5, 1978

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 5th day of September, 1978 and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT:

PETER J. BOLENDER, COUNCILMAN

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
ROBERT W. URBAN, HIGHWAY SUPERINTENDENT

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M., the Town Board held a Public Hearing to hear all interested parties and citizens on a proposed amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented this further communication relative to this Public Hearing:

Letter and copy of Legal Notice sent to County Deputy Commissioner of Highways on August 31, 1978 giving notice of Public Hearing.

OPPONENTS

None

PROPOSERS

None

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:05 P.M.

The Town Board, at this time, adopted a resolution hereinafter spread at length in these minutes, adopting the proposed ordinance amendment.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their monthly reports as follows:

<u>DEPARTMENT</u>	<u>MONTH</u>
Building Inspector	August, 1978

COMMITTEE REPORTS:

Robert Urban, for the Ambulance Board, reported that the board recommends to the Town Board acceptance of the \$3,500.00 donation offer of the Lancaster Volunteer Ambulance Corps toward the purchase of a new Town ambulance.

Councilman Berent, for the Recreation Committee, and the Board set Monday, September 11, 1978, at 7:00 P.M., for a work session on bid preparation for renovation of the Keysa Park Pool.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

RESOLVED, that the minutes of the meeting of Town Board held
August 21, 1978, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED WAS ABSENT

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~xxxxx~~
The resolution was thereupon unanimously adopted.

September 5, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, a Public Hearing was held on the 5th day of September, 1978,
for the purpose of amendment of Chapter 46, Vehicle and Traffic Ordinance of
the Code of the Town of Lancaster, and persons for and against such amendments
have had an opportunity to be heard, and

WHEREAS, Notice of said Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of
the Town of Lancaster be amended as proposed, and
2. That said amendment be added in the minutes of the meeting of
the Town Board of the Town of Lancaster held on the 5th day of September, 1978;
3. That a certified copy thereof be published in the Lancaster
Enterprise-Journal on September 7, 1978, and
4. That a certified copy of this amendment be posted on the Town
Bulletin Board, and
5. The Affidavits of Publication and Posting be filed with the
Town Clerk.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
SUPERVISOR KEYS	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~xxxx~~

The resolution was thereupon unanimously adopted.

September 5, 1978

LEGAL NOTICE
NOTICE OF ADOPTION
OF
AMENDMENT TO
VEHICLE AND TRAFFIC ORDINANCE
OF
THE TOWN OF LANCASTER
COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, State of New York, designated Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

The following amendments shall be added to said Chapter 46, Vehicle and Traffic Ordinance of the Town of Lancaster:

ARTICLE V - One-way Roadways

Section 46-5, One-way roadways, is amended by adding thereto:

- B. Farmingdale Court, (Pleasant Meadow Subdivision), from its northerly terminus at its intersection with Deerpath Drive, is hereby designated one-way traffic in a north-westerly, then southwesterly, then southeasterly direction to its southern terminus at its intersection with Deerpath Drive, and that a "One-Way" sign at the northerly entrance thereto, a "Do Not Enter" sign at the southerly exit be erected to control said one-way traffic.

ARTICLE VIII- Stop and Yield Intersections -

Section 46-8, Stop Intersections designated, is hereby amended by adding thereto:

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC STOPS</u>	<u>SIGN LOCATION</u>
Fox Hunt Road	North/South	Robinwood Court	Westbound	N.E. Corner

Section 46-8.1 - Yield Intersections designated, is amended by adding thereto:

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC YIELDS</u>	<u>SIGN LOCATION</u>
Deerpath Drive	North/South	Farmingdale Court	Southeasterly	S.W. Corner

ARTICLE X - Parking, Standing and Stopping

Section 46-12, Parking prohibited in designated locations, is amended by adding thereto:

- (12) On the east and west sides of Ransom Road, from its intersection with Walden Avenue northerly approximately three tenths (3/10) of a mile to the intersection of Peppermint Road.

(13) Pleasant Meadow Subdivision:-

- a. On the south side of Pheasant Run Lane from its intersection with Warner Road to its easterly terminus.
- b. On the east side of Deerpath Drive from its intersection with Pheasant Run Lane northerly to its intersection with Fox Hunt Road.
- c. On the southern and eastern side of Fox Hunt Road from its intersection with Deerpath Drive easterly and northerly to its intersection with Bridlepath Lane.
- d. On the eastern side of Idlebrook Court from its intersection with Pheasant Run Lane northerly to approximately Lot No. 192 in said subdivision.
- e. On the south side of Robinwood Court from its intersection with Fox Hunt Road easterly to approximately Lot No. 157 in said subdivision.
- f. On both sides of Farmingdale Court.

Section 46-13, Standing prohibited in designated locations, is amended by adding thereto:

- (12) On the east and west sides of Ransom Road, from its intersection with Walden Avenue northerly approximately three tenths (3/10) of a mile to the intersection of Peppermint Road.

(13) Pleasant Meadow Subdivision:-

- a. On the south side of Pheasant Run Lane from its intersection with Warner Road to its easterly terminus.
- b. On the east side of Deerpath Drive from its intersection with Pheasant Run Lane northerly to its intersection with Fox Hunt Road.
- c. On the southern and eastern side of Fox Hunt Road from its intersection with Deerpath Drive easterly and northerly to its intersection with Bridlepath Lane.
- d. On the eastern side of Idlebrook Court from its intersection with Pheasant Run Lane northerly to approximately lot No. 192 in said subdivision.
- e. On the south side of Robinwood Court from its intersection with Fox Hunt Road, easterly to approximately Lot No. 157 in said subdivision.
- f. On both sides of Farmingdale Court.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT TO WIT:

WHEREAS, the Agriculture and Markets Law of the State of New York requires the Town Boards of each Town in the State of New York to appoint a resident or residents, designated as Enumerator or Enumerators, to prepare a list of the persons in such Town owning or harboring dogs,

NOW, THEREFORE, BE IT

RESOLVED, that the following persons be and are hereby appointed to the position of Dog Enumerators of the Town of Lancaster, including the Villages of Lancaster and Depew situate within the limits of the Town of Lancaster, for the October, 1978 Enumeration of Dogs:

Eleanor Ball
571 Lake Ave.
Lancaster, NY 14086

Barbara Seamans
48 Livingston St.
Lancaster, NY 14086

Joanne Karn
36 Vandenberg
Lancaster, NY 14086

Jean F. Sorrentino
49 Charlton Pl.
Lancaster, NY 14086

LaVerne G. Love
45 Banner Ave.
Lancaster, NY 14086

Geraldine Velocci
37 Sawyer Ave.
Lancaster, NY 14086

Lucille M. Love
45 Banner Ave.
Lancaster, NY 14086

Dee Wagener
289 Argus Dr.
Depew, NY 14043

Marie Schmid
276 Argus Drive
Depew, NY 14043

Joyce Weremblewski
461 Aurora St.
Lancaster, NY 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
SUPERVISOR KEYS	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~duxx~~

The resolution was thereupon unanimously adopted.

September 5, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Twin District Volunteer Fire Co., Inc. by letter
dated August 17, 1978, has requested confirmation of one (1) new member duly
elected to the Membership of the Twin District Volunteer Fire Co., Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the membership of the following individual in the Twin District
Volunteer Fire Co., Inc.:

Donald Adolf
55 Brunck Road
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	WAS	ABSENT
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~duky~~
The resolution was thereupon unanimously adopted.

September 5, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Twin District Volunteer Fire Co., Inc. by letter
dated August 17, 1978, has requested confirmation of one (1) new member duly
elected to the Membership of the Twin District Volunteer Fire Co., Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the membership of the following individual in the Twin District
Volunteer Fire Co., Inc.:

Donald Adolf
55 Brunck Road
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	WAS	ABSENT
SUPERVISOR KEYS	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~stxkyx~~
The resolution was thereupon unanimously adopted.

September 5, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, Marrano Enterprises Inc., 4040 Clinton Street, West Seneca, has requested the Town Board of the Town of Lancaster to accept work completed under Public Improvement Permit No. 52 (Paving and Curbs) for the installation of improvements within the Pleasant Meadow Subdivision, Phase III, within the Town of Lancaster, and

WHEREAS, the Town Engineers have inspected the improvement under the aforesaid Public Improvement Permit and by letter dated August 30, 1978, has recommended approval thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvement within Pleasant Meadow Subdivision, Phase III, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 52 - Paving and Curbs

conditioned, however, upon receipt by the Town of Lancaster of the following maintenance security in proper form, with date of acceptance of improvements being September 5, 1978:

P.I.P. No. 52 - Paving and Curbs - Maintenance Bond
Term 2 years - Principal Sum -
25% of estimated cost of improvement

and,

BE IT FURTHER

RESOLVED, that upon receipt by the Town Clerk, of the maintenance security for Public Improvement Permit No. 52 as set forth herein, the \$120,000.00 portion of M & T Trust Company Irrevocable Letter of Credit No. 2412 which letter of credit was previously deposited with the Town Clerk as performance security for Public Improvement Permit Nos. 51, 52 and 53, be and is hereby released.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~and~~
The resolution was thereupon unanimously adopted.

September 5, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 6925 to 6979 Incl.	\$48,006.14
Special District Funds	No. 322 to 325 Incl.	\$ 4,908.86
Part Town Funds	No. 589 to 594 Incl.	\$ 1,439.05
Highway Funds	No. 2045 to 2066 Incl.	\$15,231.96
Trust & Agency Funds	No. 270 to 276 Incl.	\$ 8,165.10
Federal Revenue Sharing	No. 1238 to 1256 Incl.	\$21,709.27
Capital Fund	No. 353 to 355 Incl.	\$ 1,559.12
Debt Service Fund	No. 7 to 7 Incl.	\$ 1,665.00
CETA Project No. 641	No. 29 to 30 Incl.	\$ 337.35
CETA Project No. 642	No. 4 to 6 Incl.	\$ 3,293.04
CETA Project No. 645	No. 33 to 35 Incl.	\$ 826.80

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER WAS ABSENT
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

September 5, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
, TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
136	Gregg K. Gibbs	153 North Maple Dr.	ER. CEDAR FENCE
137	Metroplex Homes	2 Nichter Road	ER. FR. SIN. DWLG
138	Annette Powell	116 Steinfeldt	ER. FR. PVT. GARAGE
139	Marrano Enter.	9 Robinwood Court	ER. FR. SIN. DWLG, PVT. GARAGE
140	Marrano Enter.	7 Robinwood Court	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
141	Marrano Enter.	18 Ravenwood Drive	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
142	Mary Rudnik	5019 Transit Rd.	DEM., EXT. FR. SIN. DWLG
143	Mr. Merritt	66 Impala Pkwy.	ER. FENCE
144	Edward Wieand	62 Impala Pkwy.	ER. FENCE
145	John Walker	170 Cemetery Rd.	DEM. FR. BARN
146	Josephine Miller	728 Aurora St.	ALT., EXT. FR. SIN. DWLG
147	Marrano Enter.	49 Fox Hunt Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
148	Marrano Enter.	38 Fox Hunt Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
149	William Powell	419 Erie St.	EXT. FR. SIN. DWLG
150	Richard Chmelko	546 Lake Ave.	EXT. FR. SIN. DWLG

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER WAS ABSENT
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

September 5, 1978

Councilman Barnhardt requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the County of Erie has undertaken a comprehensive plan of property revaluation of all parcels of real property in the County of Erie, and

WHEREAS, completion of said real property revaluation program may be suspended by the County of Erie, which may obligate the individual municipalities of Erie County to perform a real property revaluation program on an individual municipality basis in order to comply with the existing legal decisions relative to property assessment, at a cost which cannot be borne by local municipalities, and

WHEREAS, the Town of Lancaster is in no financial position to finance a real property revaluation program with its own resources without great economic burden to its taxpayers, and

WHEREAS, the Town of Lancaster has borne, through the county revaluation program, a substantial cost for the work done on the county revaluation program to date, which cost would be wasted unless the County of Erie proceeds with a revaluation program,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster memorializes the Erie County Legislature to continue the Erie County Real Property ReValuation Program in order not to waste expenditures already made for said program and to minimize the cost of complying with the existing law for a comprehensive real property revaluation program, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded by the Town Clerk to the Erie County Executive; Clerk of the Erie County Legislature; L. William Paxon, 17th District Legislator; Richard Slisz, 4th District Legislator, County of Erie.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER WAS ABSENT

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

September 5, 1978

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded by the Town Clerk to the Erie County Executive; Clerk of the Erie County Legislature; L. William Paxon, 17th District Legislator; Richard Slisz, 4th District Legislator, County of Erie.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	WAS ABSENT
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

September 5, 1978

Councilman Barnhardt requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED:-

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

WHEREAS, the Federal Revenue Sharing Regulations and legal requirements of the Town Law require that the Town Budget Officer conduct a "Proposed Use Hearing" relative to uses of Federal Revenue Sharing Funds in order to provide residents of the community with the opportunity to present written and oral comments on the possible uses of Federal Revenue Sharing Funds;

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing regarding the proposed uses of Federal Revenue Sharing Funds pursuant to Federal Revenue Sharing Regulations and legal requirements of the Town Law of the State of New York, will be held by the Town Budget Officer at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18th day of September, 1978, at 8:00 P.M., o'clock, Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, the official newspaper, and be posted on the Town Bulletin Board, which Notice shall be in the following form:

TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING

PROPOSED USE
OF
FEDERAL REVENUE SHARING FUNDS

NOTICE TO THE CITIZENS OF THE TOWN OF LANCASTER

A Public Hearing will be held on September 18, 1978, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York on the "Proposed Uses" of Federal Revenue Sharing Funds received or to be received by the Town of Lancaster.

Residents of the Town of Lancaster are advised that they have a right to present written or oral comments on the proposed uses of Federal Revenue Sharing Funds and all such comments are hereby solicited by the Town of Lancaster.

The amount of unobligated entitlement funds in the Town of Lancaster's Federal Revenue Sharing Trust Fund is \$57,000, and the amount of Federal Revenue Sharing Funds the Town of Lancaster anticipates receiving during 1979 is \$180,000.

TOWN OF LANCASTER

STANLEY JAY KEYSA
Budget Officer

September 5, 1978

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMEN BERENT	VOTED YES
COUNCILMAN BOLENDER	WAS ABSENT
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

September 5, 1978

Councilman Metz requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Erie County Deputy Commissioner of Public Works for Highways has submitted the preliminary plan and report concerning the Bowen Road Bridge, BR 20-3, Town of Lancaster, New York, and

WHEREAS, the deterioration of said bridge has been a cause of deep concern to the Town Board in view of the fact that this road is an important thoroughfare connecting the northern and southern sections of the Town of Lancaster, disruption of which will cause widespread inconvenience and delay of response time for emergency vehicles, and

WHEREAS, it is of prime concern to the Town of Lancaster that the immediate and complete reconstruction of the Bowen Road bridge to current designed safety standards be immediately undertaken by the County of Erie for the safety and welfare of a large number of residents of the Town of Lancaster and other areas of the County of Erie using said Bowen Road bridge,

NOW , THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby supports the immediate and complete reconstruction of Bowen Road bridge, BR 20-3, by the County of Erie, to current designed safety standards as expeditiously as possible provided that water lines and appurtenances be moved at County expense if the same shall be necessary to the project, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to Kenneth Reitmeier, P.E., Deputy Commissioner of Public Works-Highways; Clerk of the Erie County Legislature; L. William Paxon, 17th District Legislator and Richard Slisz, 4th District Legislator.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMEN BERENT VOTED YES

COUNCILMAN BOLENDER WAS ABSENT

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

September 5, 1978

1. Preferential Rights, Erie Lackawanna R.R.
By letter dated August 10, 1978, Mr. Glenn F. Torch, Sales Mgr. for the Erie Lackawanna Railway Co. informed the Town Board that he would recommend to their trustees a purchase price of \$750.00. an acre for the right-of-way acquisition.
2. Public Improvement Permit Authorization, Lancaster Industrial Park
On September 6, 1977, the Town Board approved P.I.P. Nos. 41 and 42 for storm sewer, pavement and curbs. On June 5, 1978, the Town Board approved P.I.P. No. 53 for water line.
3. Phase III, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
On March 20, 1978, the Town Board approve P.I.P. No. 50 for Phase III water lines. On May 1, 1978, the Town Board approved P.I.P. No. 51 for Phase III storm drain and P.I.P. No. 52 for Phase III pavement and curbs. On August 7, 1978, the Town Board accepted a \$125,000. M & T Letter of Credit to secure the issuance of building permits in Phase III. On September 5, 1978, the Town Board accepted the improvements under P.I.P. No. 52 paving and curbs.
4. Rezone Petition, J. Nicholas Mueller
On June 19, 1978, the Town Board held a Public Hearing on this matter and reserved decision. On July 21, 1978, the Town Board asked the Planning Board to re-evaluate existing zoning classifications on Genesee Street from Harris Hill Road east and report back to the Town Board.
5. Subdivision Approval, Country View East
On May 1, 1978, this matter was presented to the Town Board and referred to the Planning Board for reievw and recommendation.
6. Speed Evaluation Survey, Simme Road
On May 1, 1978, the Town Board adopted a resolution requesting a speed evaluation survey from the N.Y.S. Dept. of Transportation.
7. Rezone Petition, Dennis Casillo
On June 5, 1978, this petition was presented to the Town Board and referred to the Planning Board for review and comment.
8. Rezone Petition, Norman H. and Maryann Bastian
On July 3, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
9. Subdivision Approval, Heritage Hills
On July 3, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
10. Speed Evaluation Survey, Como Park Boulevard
On August 21, 1978, the Town Board adopted a resolution requesting a speed evaluation survey from the N.Y.S. Dept. of Transportation.

Mr. Arlie Schwan, 723 Ransom Road, spoke to the Town Board relative to surface water flooding which occurs on his property due to the back up of water from Plumbottom Creek at the Ransom Road underpass. Mr. Schwan asked the Town Board to assign a higher priority to his drainage problem.

The Supervisor asked the Highway Superintendent to make a new site inspection of the Schwan property and assign a higher priority to this matter if the severity of the flooding is as Mr. Schwan indicates.

COMMUNICATIONS:DISPOSITION

- | | |
|--|---------------------------------------|
| 670. Town Clerk to Town Board -
Notification of filing of two documents
regarding Community Development in Town
Clerk's Office. | R & F

_____ |
| 671. Att'y Timothy M. O'Mara to Town Board -
Request information regarding zoning
changes in connection with the Norman and
Maryann Bastian Rezone Petition. | Chair., Planning Bd

_____ |
| 672. Josela Enterprises, Inc. to Town Board -
Request permission to remove topsoil from
Old Schoolhouse Common Subdivision site. | Engineer

_____ |
| 673. Town Clerk to Town Board -
Report on seminar attended at Syracuse
University. | R & F

_____ |
| 674. Town Clerk to Town Board -
Resume of actions taken in response to
directions and resolutions of the Town
Board meeting of 8/21/78. | R & F

_____ |
| 675. Highway Supt. to Town Board -
Recommendation of equalization of dumping
fee expenses. | Attorney

_____ |
| 676. Town Clerk to Four Fire Presidents and Four
Fire Chiefs -
Notification of Annual Inspection to be
held 9/16/78 and General Discussion meeting
to be held 9/22/78. | R & F

_____ |
| 677. Early Senior Alert to Town Clerk -
Notification of program for the senior
citizen or handicapped. | R & F

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| 678. Corres. Sec'y, Twin District Vol. Fire Co.,
Inc. to Town Clerk -
Recommendation of one new member added to
active roster. | R & F

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| 679. Reg. Dire., N.Y.S. Dept. of Environ and
Conservation to Supervisor -
Notification that no toxic chemical wastes
within the Town were proposed to be disposed
of at any landfill site. | R & F

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| 680. Supervisor to Town Board -
Notification of various investments for the
month of August, 1978. | R & F

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| 681. Erie County Water Authority to Supervisor -
Notification of cancellation of meeting that
was to be held 8/28/78 with request that
Town Engineers meet with Authority's staff
to discuss location of elevated storage tank.
Transmittal of article which discusses
elevated storage and ground storage regarding
water distribution system. | R & F

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| 682. Att'y Richard S. Gallivan to Supervisor -
Request cost estimate for sewer service
installation to the Frank Kilbert property
at 5408-5428 Genesee Street. | Supervisor

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COMMUNICATIONS CONT'D.DISPOSITION

- | | | |
|------|---|---------------------------------------|
| 683. | Town Engineers to Town Board -
Comments regarding Keysa Park Swimming Pool repairs. | <u>R & F</u> |
| 684. | Deputy Comm., County Highways to Supervisor -
Transmittal of Preliminary Planning Report describing replacement work on Bowen Rd. Bridge. | <u>Attorney</u> |
| 685. | Town Engineers to Town Board -
Recommend change order regarding removal of fill in connection with construction of addition to Town Hall. | <u>Building Comm.</u> |
| 686. | Assessor to Town Board -
Request permission to have Michael Beilman attend Conference on Assessment Adm. to be held at Monticello, N.Y. from 9/26-29/78. | <u>Town Clerk</u> |
| 687. | Town Attorney to Town Board -
Recommendation that resolution setting public hearing regarding V & T Ordinance amendments affecting County roads and copy of ordinance amendment adoption be sent to County. | <u>R & F</u> |
| 688. | Town Engineers to Town Board -
Recommendation of acceptance of P.I.P. No. 52 (Paving and Curbs) regarding Pleasant Meadow Subdivision, Phase III. | <u>R & F</u> |
| 689. | Highway Supt. to Town Board -
Notification that contract amount of \$14,000. has been reached regarding sewer maintenance of Sewer Dist. No. 2 and that arrangements for transfer of pumps should begin as soon as possible. | <u>R & F</u> |
| 690. | County Off. of Disaster Preparedness to Supervisor -
Transmittal of Senate Bill 7265-B which has been signed into law regarding Disaster Preparedness. | <u>R & F</u> |
| 691. | Frances X. Stock to Supervisor -
Request information in order to conduct identification of homes for the elderly and handicapped. | <u>R & F</u> |
| 692. | N.Y.S. Dept. of Environ. Conservation to Town of Clarence Supervisor -
Notification of inspection of Tillman Road Swamp and notification that a Wetland Permit must be obtained to conduct certain activities. | <u>R & F</u> |
| 693. | County Dept. of Environ. and Planning to Supervisor -
Notification that any property tributary to the Aurora St. pump station will not be on the 1979 tax rolls for frontage and flat charges. | <u>R & F</u>
<u>Town Clerk</u> |
| 694. | County Dept. of Environ. and Planning to Supervisor -
Transmittal of memo from N.Y.S. Dept. of Conservation with suggestions regarding Lancaster Speedway noise problems. | <u>R & F</u> |

COMMUNICATIONS CONT.:

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DISPOSITION

695. Town Clerk to Town Board -
Recommendation on appointment of 1978 Dog
Enumerators.
696. Supervisor to County Dept. of Environ. and
Planning and County Health Dept. -
Request comments regarding use of low-pressure
sewer system in the Walden Industrial area.
697. Supervisor to Francis X. Stock -
Comments regarding the house numbering project.
698. Supervisor to Pres., Anco Electric Co., Inc. -
Suggestion that request for ditch drainage work
on Pleasant View Drive be forwarded to County
Highway Supt. for expeditious solution.
699. Supervisor to Lehigh Valley R.R. Co. -
Request intentions regarding sale of
property and steps necessary for purchase.
700. Supervisor to Town Board -
Comments regarding combination of Industrial
Development Agency and L.D.C.
701. Highway Supt. to Town Board -
Transmittal of specifications for 1978
Dump Truck with request for advertisement
for bids.
702. Ass't. Bldg. Inspector to Town Board -
Monthly report for August, 1978.

R & F

R & F

R & F

R & F

R & F

Supervisor

Town Clerk
Attorney

R & F

Supervisor Keysa requested a suspension of the necessary rule for
immediate consideration of the following communications.

SUSPENSION GRANTED.

703. Highway Supt. to Town Attorney -
Notification of agreements with Town
and Villages of Depew and Lancaster relative
to the purchase and availability of a hose
assembly system.
704. County Deputy Executive to County Executive -
Comments expressing continuation of
Revaluation Program.

Attorney

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 9:14 P.M. out of respect to:

William Donnelly

Signed

Robert P. Thill

Robert P. Thill, Town Clerk